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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8                   ALEX ZANKICH and WILLIAM RUCKER,  
9                   *et al.*,

10                  Plaintiffs,

11                  v.

12                  WELLS FARGO BANK, N.A.,

13                  Defendant.

Case No. C08-1476 RSM

ORDER SETTING TRIAL  
DATE & RELATED DATES

14                  **TRIAL DATE**

February 22, 2010

15                  Deadline for joining additional parties

April 1, 2009

16                  Motion for class certification due

April 15, 2009

and noted on the Court's calendar for the fifth Friday  
thereafter

17                  Reports from expert witnesses under FRCP 26(a)(2) due

July 31, 2009

18                  All motions related to discovery must be noted on the motion  
calendar no later than the Friday before discovery closes  
pursuant to CR7(d)(3) or CR37(a)(2)(B)

19                  Discovery completed by

September 30, 2009

20                  All dispositive motions must be filed by

October 28, 2009

and noted on the motion calendar no later than the  
fourth Friday thereafter (see CR 7(d))

22                  Mediation per CR 39.1(c)(3) held no later than

July 15, 2009

23                  All motions in limine must be filed by

January 25, 2010

and noted on the motion calendar seven judicial days  
thereafter pursuant to CR7(d)(2)

25                  Agreed pretrial order due

February 10, 2010

26                  Pretrial conference to be scheduled by the Court

1 Trial briefs, proposed voir dire questions, proposed  
2 jury instructions, and trial exhibits due

February 17, 2010

3 Length of Trial: 4-10 days

Jury XXX Non Jury

4 These dates are set at the direction of the Court after reviewing the joint status report and  
5 discovery plan submitted by the parties. All other dates are specified in the Local Civil Rules.  
6 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal  
7 holiday, the act or event shall be performed on the next business day. These are firm dates that  
8 can be changed only by order of the Court, not by agreement of counsel or the parties. The  
9 Court will alter these dates only upon good cause shown: failure to complete discovery within  
10 the time allowed is not recognized as good cause.

11 If the trial date assigned to this matter creates an irreconcilable conflict, counsel must  
12 notify Lowell Williams or Laurie Cuaresma, in-court deputy clerks, at 206-370-8521, within 10  
13 days of the date of this Order and must set forth the exact nature of the conflict. A failure to do  
14 so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but  
15 it should be understood that the trial may have to await the completion of other cases.

#### 16 ELECTRONIC FILING

17 Counsel is required to electronically file all documents with the Court. Documents filed  
18 electronically are instantly filed and the court has instant access to review and consider  
19 pleadings. For any document exceeding fifty (50) pages in length, a courtesy copy shall be  
20 delivered to the Clerk's Office, marked "Chambers Copy."

#### 21 COOPERATION

22 As required by CR 37(a), all discovery matters are to be resolved by agreement if  
23 possible. Counsel are further directed to cooperate in preparing the final pretrial order in the  
24 format required by CR 16.1, except as ordered below.

1 EXHIBITS

2 The original and one copy of the trial exhibits are to be delivered to chambers five days  
3 before the trial date. Each exhibit shall be clearly marked. Exhibit tags are available in the  
4 Clerk's Office. The Court hereby alters the CR 16.1 procedure for numbering exhibits:  
5 plaintiff's exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall  
6 be numbered consecutively beginning with 500. Duplicate documents shall not be listed twice:  
7 once a party has identified an exhibit in the pretrial order, any party may use it. Each set of  
8 exhibits shall be submitted in a three-ring binder with appropriately numbered tabs.

9 SETTLEMENT

10 Should this case settle, counsel shall notify the Deputy Clerk as soon as possible.  
11 Pursuant to GR 3(b), an attorney who fails to give the Deputy Clerk prompt notice of settlement  
12 may be subject to such discipline as the Court deems appropriate.

13 DATED this 27<sup>th</sup> day of March, 2009.

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16 RICARDO S. MARTINEZ  
17 UNITED STATES DISTRICT JUDGE  
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